

IN THE DISTRICT COURT OF GUAM  
TERRITORY OF GUAM  
CRIMINAL MINUTES

DISTRICT COURT OF GUAM

MAR 29 2005

MARY L.M. MORAN  
CLERK OF COURT

34

CASE NO. CR-05-00005-001

DATE: 03/29/2005

HON. JOAQUIN V. E. MANIBUSAN JR., Magistrate Judge  
Court Reporter: Wanda Miles  
Hearing Electronically Recorded: 2:14:42 -2:17:06

Law Clerk: Judith Hattori  
Courtroom Deputy: Virginia T. Kilgore  
CSO: B. Benavente / J. Lizama

\*\*\*\*\* APPEARANCES \*\*\*\*\*

DEFT: YU MAN YEN aka KEE SANG JOFFRE  
CHEN aka TAI FAT LEE

ATTY : JOHN GORMAN

(X) PRESENT (X) CUSTODY ( ) BOND ( ) P.R.

(X) PRESENT ( ) RETAINED (X) FPD ( ) CJA APPOINTED

U.S. ATTORNEY: RUSSELL STODDARD

AGENT: TIM CONWAY, BUREAU OF IMMIGRATION &  
CUSTOMS ENFORCEMENT

U.S. PROBATION: MARIA CRUZ

U.S. MARSHAL: P. RABINA / S. LUJAN

INTERPRETER: FOO MEE CLINARD, Previously sworn

LANGUAGE: Chinese Mandarin

PROCEEDINGS: CHANGE OF PLEA

- ( ) COMPLAINT READ TO DEFENDANT  
( ) FINANCIAL AFFIDAVIT REVIEWED AND ACCEPTED: \_\_\_\_\_, ATTORNEY APPOINTED  
( ) DEFENDANT SWORN AND EXAMINED: AGE: \_\_\_\_\_ HIGH SCHOOL COMPLETED: \_\_\_\_\_  
( ) DEFENDANT ARRAIGNED AND ADVISED OF HIS RIGHTS, CHARGES AND PENALTIES  
( ) REMOVAL/IDENTITY HEARING ( ) CONDUCTED ( ) WAIVED ( ) SET FOR: \_\_\_\_\_ at \_\_\_\_\_  
( ) WARRANT OF REMOVAL ISSUED  
( ) GOV'T SUMMARIZES THE EVIDENCE ( ) GOV'T SUBMITS TO THE PLEA AGREEMENT  
( ) COURT QUESTIONS DEFENDANT REGARDING HIS PHYSICAL AND MENTAL CONDITION, AND ADVISES DEFENDANT  
OF THE NATURE AND POSSIBLE CONSEQUENCES OF SAID PLEA  
( ) DEFENDANT WAIVE READING OF ( ) COMPLAINT ( ) INFORMATION ( ) INDICTMENT  
( ) PLEA ENTERED: ( ) GUILTY ( ) NOT GUILTY - TO: \_\_\_\_\_  
( ) COUNT(S) \_\_\_\_\_ DISMISSED ON GOVERNMENT'S MOTION  
( ) PLEA AGREEMENT FILED: \_\_\_\_\_ PLEA: ( ) ACCEPTED ( ) REJECTED  
( ) COURT ORDERS PLEA AGREEMENT SEALED  
( ) COURT REJECTS PLEA AGREEMENT AND REFERS IT TO: \_\_\_\_\_ FOR RECOMMENDATION.  
( ) SENTENCING DATE: \_\_\_\_\_ at \_\_\_\_\_ ( ) STATUS HEARING: \_\_\_\_\_ at \_\_\_\_\_  
( ) PRESENTENCE REPORT ORDERED AND DUE: \_\_\_\_\_  
( ) PRELIMINARY EXAMINATION SET FOR: \_\_\_\_\_  
( ) ARRAIGNMENT SET FOR: \_\_\_\_\_ at \_\_\_\_\_  
( ) TRIAL SET FOR: \_\_\_\_\_

PROCEEDINGS CONTINUED TO: \_\_\_\_\_ at \_\_\_\_\_

- ( ) DEFENDANT TO BE RELEASED ON BOND (see release conditions on page 2)  
( ) DEFENDANT REMANDED TO THE CUSTODY OF THE U.S. MARSHAL SERVICE FOR ( ) PROCESSING ( ) DETENTION  
( ) DETENTION HEARING REQUESTED BY GOV'T DEFT IS SET FOR: \_\_\_\_\_ at \_\_\_\_\_  
( ) DEFENDANT RELEASED ON BAIL AS PREVIOUSLY ORDERED BY THIS COURT  
(X) DEFENDANT TO REMAIN IN THE CUSTODY OF THE U.S. MARSHAL

NOTES:

Parties moved the Court to withdraw the amended plea agreement. Defense stated that counsel have identified some problems with the plea and will try to resolve the issues. GRANTED.